

700 guard band swap needs to be removed from the proposal:

If Nextel is allowed to exchange their 700 guard band frequencies for any other type of frequency then the integrity of the auction process and the band manager program is in serious jeopardy. I am all for fixing interference issues for public safety concerns; but allowing Nextel to swap the 700 spectrum that was intended for use by non-interfering high site systems under the band manager program would smell of impropriety.

The Consensus plan is dictating to the FCC what they want to see happen and saying that if the package is not approved in its entirety then Nextel won't play ball. In classic tail wagging the dog fashion the FCC is actually considering Nextel's "buy and switch" proposal disguised under the veil of Public safety interference rebanding. I hope the FCC hasn't been blind to Nextel's strategic manipulative methods of boxing out potential competition to its wide area two way feature by buying up and inflating the cost of the 700 guard band spectrum. The FCC should tell the consensus plan authors that the 700 guard band can not be part of the plan and that the rules for this spectrum must be adhered to:

1. The 700 guard band frequencies can only be used for non-cellular systems.
2. Nextel must lease off 51% of their 700 spectrum to non-affiliate businesses under the band manager rules.
3. The 700 guard band spectrum users and band managers must adhere to the strict rules on harmful interference emissions.

I hope the FCC doesn't get hood winked and allow this Nextel trade up to happen. It could fuel further big business frequency speculation in upcoming auctions with the hopes that they could buy the licenses and lobby for rule changes or trade-ups.

All non Nextel EA 800 license holders should be allowed to elect to receive cellular spectrum:

Anyone who has an 800 EA license should have the ability to choose a cellular license just like Nextel. This allows for equality among spectrum holders and gives the auctioned license owner the ability to migrate up to a low site cellular technology. All The EA license winners should be able to have the same type of treatment as either Nextel or Southern company.

Some additional points of concern and questions regarding the consensus proposal are:

Can an 800 non-Nextel EA holder still swap for 900 spectrum on a two for one basis? If yes can a low site cellular architecture be used at 900? Would the 900 MTA's be redistributed into EA's? Would there be any incumbents on the 900? Would there be any frequency interference guaranties? What happens if there isn't enough 900 to go around? What happens if there is excess 900, will it be auctioned?

Is Nextel counting 800 licenses where they are the incumbent to the EA holder as a complete license that they can trade up to the higher spectrum? If so what happens when Nextel vacates spectrum that it holds as an incumbent to an EA license holder?